

## **PART Env-C 616 FINES RELATING TO WATER WELL CONSTRUCTION AND WATER PUMP INSTALLATIONS**

### **Env-C 616.01 Definitions.**

(a) For any terms defined in RSA 482-B or We 100 through We 800, the definitions contained therein shall apply to these rules.

Env-C 616.02 Fines Relating to Licensing and Reporting. The amount of the administrative fine for violations of licensing and reporting requirements as specified in RSA 482-B:5 and We 800 shall be as follows:

(a) For constructing a well without a water well contractor license required under RSA 482-B:5, \$2,000;

(b) For hydrofracturing a well without a water well contractor license required under RSA 482-B:5, \$2,000;

(c) For sealing an abandoned well without a water well contractor license as required under RSA 482-B and We 604.02(b), \$2,000;

(d) For installing a water pump without a pump installer license required under RSA 482-B:5, \$2,000;

(e) For failing to submit a well completion report to the water well board within 90 days after completion of a well as required by RSA 482-B:10 and We 801, \$1 per day for each calendar day after 90 days following completion of the well up to \$100 per report; and

(f) For failing to display the license number or current license decals on each well drilling rig or other machine used to construct wells and each pump service truck as required by RSA 482-B:6, \$50 per rig or other machine used to construct wells or pump service truck, as applicable.

Env-C 616.03 Fines Relating to Water Well Construction, Maintenance and Abandonment. For violations of We 601 through We 604, the amount of the administrative fine shall be as follows:

(a) For failing to disinfect a well upon completion of construction as required by We 601.04, \$500;

(b) For locating a well within 75 feet from an owner-reported or a state-approved septic system leach field in violation of the provisions of We 602.01(b) and We 602.01(i):

(1) For the first well, \$500; and

(2) For additional wells within a 5-year period, \$2,000 per well;

(c) For locating a well within 50 feet from an owner-reported or a state-approved septic tank in violation of the provisions of We 602.01(c) and We 602.01(i):

(1) For the first well, \$500; and

(2) For additional wells within a 5-year period, \$2,000 per well;

(d) For failing to use special methods of construction for wells located in non-conforming locations as required by We 602.01(i):

(1) For the first well, \$500; and

(2) For additional wells within a 5-year period, \$2,000 per well;

(e) For failing to seal the well casing to the bedrock in bedrock well construction as required by We 602.02(e)(3):

(1) For the first well, \$500; and

(2) For additional wells within a 5-year period, \$2,000 per well;

(f) For failing to extend the well casing a minimum of 8 inches above the ground surface at the time of installation as required by We 602.02(e)(1) and We 602.04(g)(1), \$200 per well;

(g) For failing to extend shallow well casings, in wells constructed by excavation, a minimum of 18 inches above the ground surface at the time of installation as required by We 602.03(f)(1), \$200 per well;

(h) For failing to install well casing as required by We 602.02(f)(1) through We 602.02(f)(5), \$500 per requirement not met;

(i) For failing to fill the void area outside the casing of a bedrock well as required by We 602.02(f)(6), \$200 per well;

(j) For failing to inject water when air rotary drilling in bedrock as required by We 602.02(g), \$500 per well;

(k) For failing to fill the void area outside the casing of a gravel well as required by We 602.04(g)(4), \$200 per well;

(l) For failing to disinfect non-potable injection water for hydrofracturing as required by We 602.07(b)(3), \$1,000 per hydrofracturing event;

(m) For burying an unused or abandoned well below the ground surface which has not been sealed as required by We 603.01(a), We 603.02 and We 603.04, \$1,000 per well;

(n) For abandoning an unused shallow well, constructed by excavation, below the ground surface which has not been filled and sealed as required by We 603.01(a), We 603.02 and We 603.04, \$500 per well;

(o) For failing to use required materials or failure to join well casing extensions as required by We 603.03(c), We 603.03(d), We 603.03(e) and We 603.03(f):

(1) For the first well, \$500; and

(2) For additional wells within a 5-year period, \$2,000 per well; and

(p) For failing to provide a water tight seal for well casing extensions as required by We 603.03(b):

- (1) For the first well, \$500; and
- (2) For additional wells within a 5-year period, \$2,000 per well.

Env-C 616.04 Fines relating to the Installation, Maintenance, Repair or Replacement of Well Pumps. For violations of We 701 and We 702, the amount of the administrative fine shall be as follows:

- (a) For failing to disinfect a well upon installation of a new pump or reinstallation of an existing pump as required by We 701.04, \$500 per installation or reinstallation, as applicable;
- (b) For failing to encase the electrical wire with conduit outside the building from the well to the inside of the foundation wall as required by We 702.01(a) and We 702.01(b), \$200 per installation;
- (c) For failing to install the electrical wiring inside the building from the point of entry to the power source in accordance with the provisions of the current National Electrical Code adopted by the electricians licensing board as required by We 702.01(c), \$200 per installation;
- (d) For failing to secure the electrical wire to the drop pipe as required by We 702.01(h), \$200 per installation;
- (e) For failing to install an electric grounding wire, which is bonded to the well casing where steel casing is used, from the pump motor to the electric service entrance as required by We 702.01(i) and We 702.01(j), \$200 per installation;
- (f) For failing to install water supply service pipe outside the building from the well to the inside of the foundation wall with a working pressure greater than or equal to 160 pounds per square inch as required by We 702.02 (f), \$200 per installation; and
- (g) For failing to install a torque arrestor on all nominal 6 inch or larger drilled well submersible pump installations in accordance with the provisions of We 702.02(l) and We 702.02(m), \$200 per installation.

Env-C 616.05 Other Fines Relating to RSA 482-B.

- (a) For failing to comply with an administrative order issued by the department for violation of RSA 482-B or We 100 - 800, the fine shall be \$2,000 per calendar month or portion thereof that compliance is not achieved after the deadline specified in the order for each provision of the order that is not complied with.